

March 12, 2002

DRAFT

**U.S. ENVIRONMENTAL PROTECTION AGENCY
SCIENCE ADVISORY BOARD
EXECUTIVE COMMITTEE
1200 Pennsylvania Ave. NW AR6013 and 6530
March 6-7, 2002**

ACTION ITEMS

ACTION 1: The EC approved the Charge for the Eco-Econ project as an EC Subcommittee effort, with the addition of explicit mention of "technology/engineering" participation.

ACTION 2: The EC approved alternate-450 form, subject to

- a. Modifications discussed at the meeting
- b. Final email examination by the EC members to verify that the modifications discussed were, in fact, addressed appropriately.

Dr. Morgan abstained.

ACTION 3: There was consensus to adopt the following operating principle: Participation on SAB Panels by individuals who have a conflict-of-interest is possible through the use of a waiver. However, the use of such waivers should be a rare event exercised by the Staff Director only upon explicit consultation with the Panel Chair and the EC Chair before issuing a waiver. The Staff Director should also consult with the Panel Chair and the EC Chair when issuing a "letter of determination (LOD)" in conjunction with what could be a perceived lack of impartiality.

ACTION 4: The EC authorized reconstitution of the PPS, which will be permanent (i.e., not *ad hoc*) subcommittee of the EC charged with carrying out the longer term elements of the original charge; in short, developing policies and procedures that will equip the SAB for the future. This activity will involve refinements to the current process and developing additional processes to address the needs of the Board as they might arise.

The EC Chair appointed the following to serve on the new PPS: Dr. Anderson (Chair), Dr. Grasso, Dr. Hopke, and Dr. Smith.

ACTION 5: The EC approved materials from the PPS, in concept, subject to revisions discussed at the meeting. A final review of

- a. The alternate-450 form (See ACTION 2 above)
- b. The PPS report (Overview booklet)
- c. The accompanying Table of Major Questions
- d. The transmittal Commentary to the Administrator

will be concluded soon via teleconference.

ACTION 6: The Executive Committee (EC) approved the Research Strategies Advisory Committee's (RSAC) *The FY03 President's Budget Request for Science & Technology at USEPA: An SAB Review*, subject to final approval by designated vetters, Dr. Glaze and Dr. Smith.

ACTION 7: The Executive Committee approved the Drinking Water Committee's (DWC) *The Contaminant Candidate List Research Plan (CCLRP) for the Office of Water: An SAB Review*, as modified at the meeting.

ACTION 8: The Executive Committee approved the Environmental Engineering Committee's *Industrial Ecology: An SAB Commentary*, without the need for further review or vetting

INSTRUCTIONS

INSTRUCTION 1: Dr. Glaze instructed the Executive Committee (EC) members to supply him with any questions/issues that he might consider raising in his informal interactions with the Administrator/Deputy Administrator.

INSTRUCTION 2: Dr. Glaze instructed the Chairs and the DFO s to develop their list of non-peer review (aka: "self-initiated") projects soon, so that a combined list of Agency and SAB projects can be considered at the July EC meeting.

INSTRUCTION 3: The EC Chair appointed a working group composed of Drs. Kasperson (Chair), Morgan, Cameron, and Smith to discuss the matter and to report back to the full EC before the end of the meeting on what the EC should be doing in this matter.

INSTRUCTION 4: The PPS was instructed to revise the Overview Booklet, the Table of Major Questions, and the Commentary in keeping with the discussion.

INSTRUCTION 5: The EC Chair instructed the PPS to update the public on its activities and to accept reaction/input through a Federal Register notice and appropriate communication plan. The outreach should include those who had been contacted at the beginning of this exercise, plus others who the PPS might think would be important to include.

INSTRUCTION 6: The 90-day process will be applicable for EC/Subcommittees, as well as other groups.

INSTRUCTION 7: The Chair instructed the Staff to compile a succinct summary of what the SAB and the PPS has done to address concerns raised by the GAO and others.

INSTRUCTION 8: The EC instructed the Staff to arrange for the July 16-17 to take place in the new EPA laboratory in Research Triangle Park.

INSTRUCTION 9: The EC instructed the Staff to convey to ORD the importance of having a role for the FY02 Science and Technology Achievement Awards (STAA) winners in the Agency's Science Month in May.

INSTRUCTION 10: The Board needs to discuss its core committee structure at its next meeting.

INSTRUCTION 11: The DWC Chair and DFO were asked to consider the comments made by the EC and re-draft portions of the report.

INSTRUCTION 12: The EC instructed the Staff to notify interested and affected parties about the FR notice soliciting names of candidates to serve as M/Cs.

INSTRUCTION 13: The EC instructed the Staff to

- a. Circulate a list of the Agency's multi-year plans to the EC
- b. Explore and recommend ways in which the SAB and the BOSC could effectively cooperate in the review of the Agency's multi-year plans.

**U.S. ENVIRONMENTAL PROTECTION AGENCY
SCIENCE ADVISORY BOARD
EXECUTIVE COMMITTEE**

1200 Pennsylvania Ave. NW AR6013 and 6530

March 6-7, 2002

I. Attendees

MEMBERS

Dr. William Glaze, Chair
Dr. Henry Anderson
Dr. Kenneth Cumins
Dr. Linda Greer
Dr. Dominic Grasso
Dr. Phillip Hopke
Dr. Roger Kasperson
Dr. Raymond Loehr
Dr. Granger Morgan
Dr. William Smith
Dr. Terry Young

3/7/02 only

LIAISON FROM THE BOARD OF SCIENTIFIC COUNSELORS (BOSC)

Dr. Gerald Schnoor

Designated Federal Officer

Dr. Donald G. Barnes

Others present in the room are identified on the sign-in sheets (Attachment A)

II. Agenda (Attachment B)

The minutes present events as noted in the agenda, not necessarily in their chronological order.

III. Convene the meeting

A. Introduction

Dr. Glaze convened the meeting at 8:35 AM.

He commended the Staff for its efforts during some difficult times

1. Developing and implementing responses to the report of the General Accounting Office (GAO)
2. Developing a new high-level relationship with the Agency on Science Advisory Board (SAB) matters, through the Deputy Administrator and the Science Policy Council which she chairs.
3. Adapting to a rapid set of staffing changes brought about by retirements and resignations.

- a. Dr. Jack Fowle, moving to Office of Research and Development (ORD) in Research Triangle Park
- b. Mr. Sam Rondberg, retiring after 30+ years of Federal service.
- c. Ms. Dorothy Clark, retiring after nearly 40 years of Federal service.
- d. Ms. Wanda Fields, moving into an Office of Water (OW) non-secretarial position
- e. Ms. Rhonda Fortson, moving to the US Coast Guard, reducing her commute time by 2/3.

He expressed optimism in the capability of the new procedures being developed by the Policies & Procedures Subcommittee (PPS) to address the concerns that have been raised regarding the formation of SAB panels.

INSTRUCTION 1: Dr. Glaze instructed the Executive Committee (EC) members to supply him with any questions/issues that he might consider raising in his informal interactions with the Administrator/Deputy Administrator.

With appreciation, he noted that the Administrator had assisted him in obtaining accommodations at the German EPA for the spring and summer.

He concluded by challenging the Board to get to work on the agenda of projects for FY02 and to apply its creative thinking to developing projects for FY03.

The EC acknowledged the contributions of the Staff, both departing and continuing, to the success of the SAB.

B. Activities and Updates

Dr. Barnes noted changes in the agenda:

- 1. Dr. Gilman will be unable to attend the meeting due to the fact that he has not been confirmed by the Senate.
- 2. Dr. Graham had informed the Staff that he would be unable to attend the meeting

In addition, he called the EC attention to a number of items:

- 1. The National Research Council's (NRC) review of the Agency's Grants Program (Attachment)
- 2. A recent article on "Science and Security" that highlights activities of the National Academy of Sciences (NAS) and the National Science Foundation (NSF) in the post-Sept. 11 world, an issue that has been raised by the SAB in the past (cf., Nov., 2001 meeting). (Attachment)
- 3. The Agency's activities in the area of the data from the testing of human subjects, which includes a role of the SAB (Attachment).
- 4. Dr. Bernard Wiess has published the results of his contribution to the SAB's *Integrated Environmental Decision-Making*. It describes his ideas about using a Web-based approach to determining group views on particular health issues. (Attachment).

5. All of the components of the “90-day” process, developed to respond to the concerns raised by the GAO, have been successfully implemented in the SAB’s interim review of the Agency’s PM Research Centers.

IV. Meeting with Administration Officials

A. Preparation for Deputy Administrator

Mr. Chuck Elkins (Elkins Associates) and Jessica Sandler (People for the Ethical Treatment of Animals (PETA)) joined the meeting by telephone.

Dr. Glaze asked the group if there were issues that they felt should be raised with the Deputy Administrator. The following items were mentioned in the ensuing discussion:

1. The status of Agency’s effort to generate a State of the Environment report this year.
2. The role of the USEPA in the two major environmental reconstruction efforts in this country; i.e., the Everglades and the San Francisco Bay.
3. Implications of recent developments in the area of Superfund
 - a. Elimination of the Superfund Tax
 - b. Prioritization schemes for addressing Superfund sites.
4. Elimination of the Science to Achieve Results (STAR) Fellowship program from the Agency's budget– in the face of strong Agency opposition – ostensibly because the Office of Management and Budget (OMB) believes that National Science Foundation (NSF) has better management practices.
5. The science being conducted by the Department of Energy in connection with carbon sequestration by underground injection of carbon dioxide and whether that science will answer the questions that USEPA will ask as if it moves towards regulation in this area.
6. The FY03 budget, the Agency, and NSF: It is not clear that NSF has the desire or mission to do the some of “applied work” that the Agency needs done. Also, there is concern about a possible erosion of Agency science that would limit its ability to effectively utilize the scientific results generated by others.
7. Resource constraints – coupled with the more open processes espoused by the PPS -- are limiting what the SAB can do in responses to Agency requests and Board initiatives.

B. Meeting with the Deputy Administrator

Deputy Administrator Linda Fisher covered three points in her opening remarks:

1. Dr. Gilman

She regrets that Dr. Gilman has not yet been confirmed by the U.S. Senate as AA/ORD, and she looks forward to his official arrival on the scene.

2. New SAB processes

She expressed appreciation for the seriousness with which the Board approached concerns raised by the GAO report. The actual and public perception of SAB independence is of critical importance.

3. Priorities for SAB projects

Through the SAB Relations Subcommittee of the Science Policy Council (SPC), the Agency has worked with SAB Staff to develop a set of draft priorities that will be examined in greater detail by the full SPC later this month. This activity dealing with FY02 projects is a prelude to a more comprehensive, coordinated activity for FY03 SAB projects, that will be commence this spring, with the goal of having broad Agency/SAB-agreed upon priorities set before the beginning of FY03. The processes being put in place have the benefits of both disciplining Agency consideration of SAB projects and raising the profile of the SAB activities within the Agency.

In response to a question about the State of the Environment (SOE) report, Ms. Fisher noted that the report is still being slated for release this fall. The intent is to make good use of work from other groups, such as SAB and the Heinz Center. She was pleased to hear the Dr. Young is continuing her interaction with Eileen McGinnis and Dona Deleon who are leading the SOE effort. Everyone recognizes that this will be a “first-cut effort” and that further improvements will be needed in the coming years. She welcomed SAB participation in that process.

In response to a question about the role the USEPA in major restoration projects (e.g., the Everglades and San Francisco Bay), she noted that the Agency had played a role in the projects but that the lead had been appropriately at the state level. **[Is this the major point?]**

In response to a question about whether transfer of the STAR Fellowship program to NSF signaled an erosion of science at the Agency, she responded firmly that this was not the case. To the contrary, support for science within the Agency is growing (e.g., the month of Mary as “Science Month” and the dedication of the new laboratory in Research Triangle Park) and the arrival of Dr. Gilman will make that even more obvious.

In response to a question about the reduction of the Superfund tax, the Deputy Administrator noted that the actual funding for Superfund activities would remain effectively unchanged, with \$1.2B of work. A recent report by Resources for the Future (RFF) found that there are an increasing number of “mega-sites” on the list; e.g., mining sites, contaminated sediment sties, etc. These efforts are large projects that were probably not envisioned by Congress when the Superfund law was passed. The effect has been that 70-80% of the funds are going to clean up about 20 sites. She noted that overall 70% of the cleanup funds are coming from private parties. The Agency is convening a group under the National Advisory Council for Environmental Policy and Technology (NACEPT) to discuss the future of Superfund. Dr. Glaze noted that the SAB was willing and interested in looking at the scientific issues in this reconsideration, including examination of the technical basis of any Superfund prioritization scheme.

In response to a question about DOE research in the area of deep well injection of carbon dioxide, Ms. Fisher noted that the Agency is actively working with DOE on the matter. Dr. Carl Mazza, Science Advisor to the Assistant Administrator in the Office of Air and Radiation (AA/OAR), volunteered to provide more information to the Board.

In response to a question on the World Summit in September, Ms. Fisher noted that the Agency was working with an interagency group on this matter. The focus of the discussion will be on the needs of the developing nations; e.g., clean water, clean air, health, sustainability, etc.

In response to a question about new approaches to assessing the hazards associated with industrial chemicals, she noted that the Agency is actively conducting research on the development and testing of new knowledge/methods in this area; e.g., determination of modes of action of particular toxicities, computer modeling of physiological processes, etc.

In response to a question about interactions among the different health agencies in the aftermath of Sept 11, she noted that homeland security concerns have resulted in an unprecedented level of cooperation between institutions that will benefit us all.

C. Meeting with Dr. John Graham

As noted above, Dr. Graham was unable to meet with the EC . However, the Members had been sent the document *Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies* prior to the meeting and proceeded to discuss it. Dr. John Maney, SAB Consultant and former EEC member, joined the meeting by telephone.

Dr. Grasso initiated the discussion by raising a question about the possible resource implications associated with implementation of the Guidelines. He opined that some people might interpret this action as an attempt to use “sound science” to hinder Agency programs. He noted the importance and inevitability of making decisions in the face of uncertainty. The implications of waiving certain of the quality requirements in the face of exigencies was unclear to him.

Dr. Loehr was positively impressed by what he termed “a masterful document”. He saw it as the beginning of an evolutionary, transparent process. It is clear that OMB had to generate something in light of the 2001 law calling for such Guidelines. He felt that the SAB, *per se*, measures up quite well to the standards described in the document. He urged that SAB Panels query Agency personnel on how they have addressed the Guidelines in any documents brought to them for review.

Dr. Maney commented that the Guidelines were in keeping with the current thinking in the literature on quality issues and with the Agency’s own quality documents that had been reviewed by the EEC. He was favorably impressed with the transparency of the process by which the Guidelines were developed.

V. Board Business and Concerns

A. Implications and opportunities for the SAB in light of discussion with Dep. Admin.

Dr. Young commented on the importance of international environmental issues; e.g., clean water and sustainability. She urged the SAB to continue to feed ideas to the Agency as they might come up. Other members expressed concern about the role that the Agency was

playing in an arena that appeared to be dominated by others; e.g., Department of State, the Council on environmental Quality, etc.

B. Projects for FY02

Dr. Carl Mazza, Science Advisor to the AA/OAR and chair of the Science Policy Council's SAB Relations Subcommittee (SRS), and Dr. Barnes discussed the proposed projects for FY02 and the draft rankings assigned to them by SAB Staff and the SRS.

In the ensuing discussion the following points were made:

- a. More projects could be done if there were more resources available.
- b. A number of projects are of particular importance to individual members and/or Committees; e.g.,
 - 1) #63 on national air monitoring strategy
 - 2) #01-11 on clean sediments research and management strategy
 - 3) #01-23 on landscape status & change
- c. Long-term, non-regulation-driven projects fair poorly in a relative ranking exercise within the Agency. This outcome is short-sighted and detracts the SAB from some areas in which it could have the greatest impact; e.g., multi-year plans.
- d. There are problems with a schedule that does not include at least some meetings for each of the Committees.
 - 1) The Agency sends the wrong message: "We don't have any issues in this area."
 - 2) *Ad hoc* panels do not have the continuity over time to understand the Agency's programs or to identify the more subtle (arguably, more important) issues that emerge over time.
 - 3) There is no opportunity to build up intra-committee rapport, institutional history, etc. which often facilitates committee operations and formation of consensus positions. Dr. Cummins felt that due to the structure and function of EPEC, it has been the best committee that he has served on in 30 years, in part, because of its leadership, support, and collegial interaction over the years.
- e. Ideas for developing effective SAB projects
 - 1) Chairs should meet with Agency leaders and workers
 - 2) Committees should interact with others in the scientific community
 - 3) DFOs should continually interact with the Agency, "keeping an ear to the ground".
- f. With the variety of peer review options now available within the Agency, there is the possibility of "forum shopping", in which Agency sponsors seek the peer review mechanism that will likely generate the most favorable review.
- g. Too many of the projects are "incremental" in nature. There are too few "open-ended" projects that hold the promise of providing significantly new insights.
- h. There could be a model for an SAB with a "core activity" level of activities, plus a "fee-for-service" component funded by "soft money".
- i. There is a need for a cadre of M/Cs to look at and for new issues.

- j. RSAC plays an important role in looking at the science portfolio across the Agency and identifying when/where additional in-depth attention would be useful.

INSTRUCTION 2: Dr. Glaze instructed the Chairs and the DFO s to develop their list of non-peer review (aka: “self-initiated”) projects soon, so that a combined list of Agency and SAB projects can be considered at the July EC meeting.

C. Possible SAB Activities in the area of economics and ecology

Dr. Glaze described the work and recommendations of the subgroup (Attachment). He described this as an important issue, but not one that was likely to result in a major product in the near-term. This effort should be thought of as a multi-year activity.

In the ensuing discussion, the following points were made:

a. Workshops

- 1) One approach could involve as series of four workshops, each with a set of commissioned papers:
 - a) Cost/benefit analysis
 - b) Ecological assessment
 - c) Social sciences and development of public values
 - d) A synthesis of findings from the other workshops
 - 2) Such a plan has significant resource implications.
 - 3) The second workshop would provide input to workshops 1 and 3. rather than provide separate model for considering the issue of eco valuation, *per se*.
- b. Another approach would involve putting economists on each of the SAB Committees.
 - c. The SAB should encourage incentives in this area; e.g., through NSF, since right now there is little professional incentive to be active in this interdisciplinary area.
 - d. The activity needs to have some specific output in mind.
 - e. The activity should include making research recommendations; e.g., specific research activities that would aid the Council's Section 812 study of ozone.
 - f. There are alternative paradigms to guide decision-making besides utilitarian theory; e.g., Precautionary Principle and "inalienable rights".
 - g. Dr. Jim Democker of the Agency, when invited to give his person view, urged that any activity in the area of valuation of ecological benefits be directly linked to the Council's work/advice on Section 812 so that the Agency would not be confronted with possibly dissimilar advice coming from different parts of the SAB .
 - i. It would helpful to have some case studies; e.g., ozone and/or HAPs.
 - j. The Tampa Bay Workshop conducted by the SAB and the Agency last year would be good model of what can come out of such gatherings. However, the SAB and the Agency could have done a better job in following up on the workshop.

INSTRUCTION 3: The EC Chair appointed a working group composed of Drs. Kasperson (Chair), Morgan, Cameron, and Smith to discuss the matter and to report back to the full EC before the end of the meeting on what the EC should be doing in this matter.

Later in the meeting the group returned with a modified Charge (Attachment) [See Angela].

ACTION 1: The EC approved the Charge for the Eco-Econ project as an EC Subcommittee effort, with the addition of explicit mention of "technology/engineering" participation.

D. Report from the Policies and Procedures Subcommittee (PPS)

Dr. Anderson introduced the work of the PPS, acknowledging the work of Dr. Angela Nugent of the SAB Staff who has been pulling the written material together. Dr. Barnes introduced Mr. Ken Wernick and Ms. Marilyn Kuray of the Agency's Office of General Counsel who have been provided legal advice on PPS-related matters.

1. The Alternate-450 form

In the discussion, the following points were made:

- a. A member asked what would happen in a case in which the M/C had signed a confidentiality agreement with a client and was subsequently asked to fill out the Agency's Confidential Financial Disclosure form. There was general agreement that such a situation could be negotiated in a case-specific manner.
- b. A member questioned why there were time periods associated with some of the inquiries; cf., Part 2, 4, etc. There was agreement that these should be eliminated.
- c. A member observed that the requirements for this form were more burdensome than those required by the National Research Council (NRC). Others pointed out that SAB panelists are special government employees (SGEs), while NRC panelists are not.
- d. A member found general support for a recommendation that an additional exclusion in Parts 2 and 3 be included for "arts"; e.g., service on the board of directors for the community orchestra.
- e. Most of the discussion focused on two main areas: Reporting on spousal holdings/activities and reporting on activities of those whose principal employment is in technical consulting.
 - 1) Reporting on spousal holdings/activities
 - a) It was agreed that someone could turn in the 450 of his/her spouse to address any question of spousal holdings/activities and refer specifically to that submission in the M/C's form.
 - b) Some expressed concern about the burden of gathering this information. Others pointed out the need to gather it, however, since the law indicates that the holdings of a spouse or minor child are imputed to the submitter.
 - 2) Reporting on activities of those whose principal employment is in technical consulting.
 - a) A member suggested asking an employee of a consulting firm to identify general characteristics of his/her firm when submitting the annual form

- and to identify relevant individual clients when considering subject-specific matters. The latter could be covered in an extended Part 9.
- b) A member agreed that there was need for information about the firm and its principal type of clients, as well as about the specific projects.
- c) A member saw no reason to list information about projects beneath a particular threshold, since no one was likely to look at them. She felt that only projects that exceeded 80% of the person's income were of significance
- f. The Chair observed that these issues regarding the 450 applied to members of all SAB Panels, including member of the EC and its Committees and subcommittees. In each case, the SABer would fill out a Part 9 prior to each meeting. We should try to minimize the burden of filling out Parts 2-8.
- g. The group summarized their understanding of the conversation to this point:
 - 1) Drop the date requirements.
 - 2) Part 2: Describe employer's activities
 - 3) Parts 2&3: Include exclusion for "arts".
 - 4) Spouse in Parts 4, 5, &6: General description, with more to be added later on issue-specific matters
 - 5) Add principal clients for those in the consulting business.
 - 6) Part 5 refers to those who are not in the consulting business as their primary employment.
 - 7) Part 6: Add "compensated"
 - 8) Part 7: Include royalties.
 - 9) Part 9, extended: List clients that are related to a specific issue.
 - 10) In the cover letter going to SAB M/Cs:
 - a) Include some examples to trigger one's thinking.
 - b) Include text to inform the filer that we are interested in appearance of COI.
There could be some text in the cover letter that describes some specific examples more fulsomely.
- h. A member raised the situation in which there is institutional support -- not individual research support -- from a particular benefactor; e.g., Smith College's Engineering Dept's support from the Ford Motor Co.
- i. Dr. Glaze reminded everyone that the burden is on the SAB M/Cs to tell the SAB Staff if there are changes in their holdings.
- j. Mr. Wernick noted that the issue is not whether or not the alternate-450 asks for more or less information than the current 450. The issue is whether it asks for the information that is needed to make the decisions.

ACTION 2: The EC approved alternate-450 form, subject to

- a. Modifications discussed at the meeting
- b. Final email examination by the EC members to verify that the modifications discussed were, in fact, addressed appropriately.

Dr. Morgan abstained.

2. The PPS report

During the discussion the following points were made:

- a. Dr. Glaze indicated that the process outlined in the PPS report (i.e., “the 90-day” process) would be used in conjunction with all SAB meetings. In some rare instances, at the discretion of the Administrator, the 90-day process might be set aside in the interest of time.
- b. Dr. Nugent described the 4-step process: Kick-off, WIDECast, Short List, and Selection.
- c. Some members urged that the WIDECast notices be placed in professional journals, as well as the Federal Register.
- d. Another member encouraged an aggressive outreach plan that would include twice yearly announcements, Webposting, etc. to insure broad participation in the WIDECast.
- e. Those candidates who make it to the Short List should be recruited as SAB Consultants, if they are not already in the system. In part, this action is necessary to obtain 450 information from them.

ACTION 3: There was consensus to adopt the following operating principle:

Participation on SAB Panels by individuals who have a conflict-of-interest is possible through the use of a waiver. However, the use of such waivers should be a rare event exercised by the Staff Director only upon explicit consultation with the Panel Chair and the EC Chair before issuing a waiver. The Staff Director should also consult with the Panel Chair and the EC Chair when issuing a “letter of determination (LOD)” in conjunction with what could be a perceived lack of impartiality.

- f. A member Young noted that the prospective Panelist needs to be involved in the drafting of the waiver or LOD.

3. Table of Major Questions

During the discussion the following points were made:

- a. A member asked that the "Consultation Column" consistently including the Standing Committee Chairs.
- b. The criteria for considering an individual Panelist of the criteria for considering "balance on a Panel" drew no comment.

E. Next Steps for PPS

ACTION 4: The EC authorized reconstitution of the PPS, which will be permanent (i.e., not *ad hoc*) subcommittee of the EC charged with carrying out the longer term elements of the original charge; in short, developing policies and procedures that will equip the SAB for the future. This activity will involve refinements to the current process and developing additional processes to address the needs of the Board as they might arise.

The EC Chair appointed the following to serve on the new PPS: Dr. Anderson (Chair), Dr. Grasso, Dr. Hopke, and Dr. Smith.

INSTRUCTION 4: The PPS was instructed to revise the Overview Booklet, the Table of Major Questions, and the Commentary in keeping with the discussion.

INSTRUCTION 5: The EC Chair instructed the PPS to update the public on its activities and to accept reaction/input through a Federal Register notice and appropriate communication plan. The outreach should include those who had been contacted at the beginning of this exercise, plus others who the PPS might think would be important to include.

- a. A member recommended that future booklets on SAB policies and procedures be confined to a few pages if we expected people to read them. Readers could be referred to the Staff for further information.
- b. The chair noted that all of these materials would be "living documents", subject to update/revisions by the PPS and EC.

INSTRUCTION 6: The 90-day process will be applicable for EC/Subcommittees, as well as other groups.

ACTION 5: The EC approved materials from the PPS, in concept, subject to revisions discussed at the meeting. A final review of

- a. The alternate-450 form (See ACTION 2 above)
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- c. The accompanying Table of Major Questions
- d. The transmittal Commentary to the Administrator

will be concluded soon via teleconference.

INSTRUCTION 7: The Chair instructed the Staff to compile a succinct summary of what the SAB and the PPS has done to address concerns raised by the GAO and others.

F. Consideration of other issues

1. Location of the July EC meeting

INSTRUCTION 8: The EC instructed the Staff to arrange for the July 16-17 to take place in the new EPA laboratory in Research Triangle Park.

2. Input to the Agency's Science Month in May

INSTRUCTION 9: The EC instructed the Staff to convey to ORD the importance of having a role for the FY02 Science and Technology Achievement Awards (STAA) winners in the Agency's Science Month in May.

3. Consideration of approaches for determining projects for FY03

A member noted that there is tension on two fronts

- a. Between the core committee structure and the increasing number of EC Subcommittees.
- b. Between the roles of the SAB and the Agency in developing the SAB agenda.

INSTRUCTION 10: The Board needs to discuss its core committee structure at its next meeting.

4. The Chair's closing final observations

Dr. Glaze expressed optimism in recent developments in the relationship between the Board and the Agency. He has been encouraged by the Deputy Administrator's words and accessibility, the creation of the SPC's SAB Relations Subcommittee, and Dr. Mazza's role as Chair of the SAB Relations Subcommittee. He acknowledged the resource constraints that are impacting on the Board's functioning. He describes the SAB's new process as a "high-grade" model for other groups.

VI. Review of Committees Activities

A. Action on Reports

1. Research Strategies Advisory Committee's (RSAC) *The FY03 President's Budget Request for Science & Technology at USEPA: An SAB Review*

Dr. Loehr introduced the report, noting the good work done by the members and the Agency and the extensive effort of the DFO, Dr. Jack Fowle, in pulling together a workable draft in such a short time. He commented on the great improvement in the structure and content of the Agency's budget, compared to just a few years ago

The ensuing discussion touched on a number of points including the following:

- a. The level of "earmarking" is about 10%, which makes it less of a problem than in previous years.
- b. As the SAB did last year, the Board should recommend that the percentage of the Agency budget going to research should be incrementally raised over the next several years to a level comparable to other research-driven institutions in the public and private sector
- c. The SAB does not get information about what projects are "below the line"; therefore, it is difficult to assess the impact of what an additional level of research support would be. Certainly, more research would have a positive, not a negative, effect, especially in an agency that is espousing the importance of science to its mission..

- d. The grant rejection rate for NIH funding is 70%, where the awards are on the order of \$250K. The comparable rejection rate at EPA is 84%, where the awards are only on the order of \$25K.
- e. The research program must be clearly related to the Agency's goals.

ACTION 6: The Executive Committee (EC) approved the Research Strategies Advisory Committee's (RSAC) *The FY03 President's Budget Request for Science & Technology at USEPA: An SAB Review*, subject to final approval by designated vettors, Dr. Glaze and Dr. Smith.

2. Drinking Water Committee's (DWC) *The Contaminant Candidate List Research Plan (CCLRP) for the Office of Water: An SAB Review*

Dr. Trussell provided a brief introduction.

Dr. Anderson, Lead Discussant, provided written comments (Attachment). He had discussed his comments with the DWC Chair and DFO and was satisfied with the changes that had been made in response to those comments.

Dr. Dominic Grasso, Associate Discussant, provided written comments (Attachment) that triggered an extensive discussion.

Dr. Kasperson questioned whether the Charge questions had been directly answered. He felt that the Agency's document was more of a process description than a plan, *per se*.

INSTRUCTION 11: The DWC Chair and DFO were asked to consider the comments made by the EC and re-draft portions of the report.

The re-drafted report was considered later in the meeting

ACTION 7: The Executive Committee approved the Drinking Water Committee's (DWC) *The Contaminant Candidate List Research Plan (CCLRP) for the Office of Water: An SAB Review*, as modified at the meeting.

3. Environmental Engineering Committee's *Industrial Ecology: An SAB Commentary*

Dr. Grasso introduced Drs. Thomas Theis and Valerie Thomas who joined the meeting by phone and provided background on the Commentary.

Dr. Trussell, Lead Discussant, provided written comments (Attachment). He indicated that in pre-meeting discussion with the EEC representatives and the DFO, changes had been made to accommodate his comments.

Dr. Kasperson, Associate Discussant, endorsed the report, noting that his written comments (Attachment) had been attended to by the Chair and the DFO.

Dr. Smith observed that "industrial ecology" still defies definition, which illustrates that the field is still in its formative stages.

ACTION 8: The Executive Committee approved the Environmental Engineering Committee's *Industrial Ecology: An SAB Commentary*, without the need for further review or vetting

B. Special updates/comments from individual Committees

Dr. Hopke noted that CASAC had recently been asked to review the Agency's National Air Monitoring Strategy, which he felt was particularly important to do, but which "fell below the line" of what the SAB Staff felt its resources would allow this year.

Dr. Grasso briefly described what the EEC calls "The Notables Project", in which EEC members are approaching some of the senior people in the field of environmental engineering to gain their perspective on what the most important issues are that the EEC and the Agency should be addressing.

Dr. Barnes noted that the Staff had just published a notice in the Federal Register soliciting the names of candidates to serve as SAB Members or Consultants.

INSTRUCTION 12: The EC instructed the Staff to notify interested and affected parties about the FR notice soliciting names of candidates to serve as M/Cs.

Dr. Young mentioned her upcoming meetings with ORD representatives and with Ms. Dona Deleon regarding the Framework for Assessing Ecological Conditions.

C. Board of Scientific Counselors (BOSC)

Dr. Schnoor, BOSC Chair, summarized recent events of the BOSC. They plan to look at the executive summaries of all of the Agency's 16 "multi-year research plans" at their May meeting. In addition, they plan to examine at least two of the plans in detail. They are open to cooperation with SAB to carry out this task. Also at their May meeting, BOSC will be discussing their recommendations for "measures of success" that could help in the evaluation of the various labs and centers. In a March conference call, they expect to complete their reports on the review of each of the labs and centers. They have another project underway on the communication of research results, within the Agency.

There was general agreement that the SAB needs to be involved in the review of the Agency's multi-year plans. These topics are the type that have long-range consequences and can have significant impact on the Agency and environmental protection

INSTRUCTION 13: The EC instructed the Staff to

- a. Circulate a list of the Agency's multi-year plans to the EC
- b. Explore and recommend ways in which the SAB and the BOSC could effectively cooperate in the review of the Agency's multi-year plans.

Public Comment

Ms. Jessica Sandler, MHS, Federal Agency Liaison, People for the Ethical Treatment of Animals (PETA) joined the meeting by phone to make some comments. She expressed concern that USEPA kills more animals in testing chemicals than any other agency. While the Agency asserts that it is committed to finding alternative testing methods, there has been little or no funding devoted to the effort and no perceptible impact on the testing programs, per se, which she sees as evolving independent from any input from ORD. She maintained that animal tests have not been subjected to the level of validation that is being required of alternative testing methods. Specifically, she said that there are better, more predictive tests available to replace animal tests but that international (cf. OECD) efforts in this regard are thwarted by the Agency's "not invented here" opposition.

She referred to previous PETA contacts with the RSAC, BOSC, Dr. Gilman, and others that did not yield satisfaction. She appealed for SAB involvement and input on the issue.

VI. Adjourn

Following a vote by the body, Dr. Glaze adjourned meeting at 3:45.

Respectfully submitted,

Donald G. Barnes, Ph.D.
EC Designated Federal Officer

Concurred,

William Glaze, Ph.D.
Chair, SAB Executive Committee

ATTACHMENTS

Attachment A --
Attachment B --
Attachment C --
Attachment D --
Attachment E --
Attachment F --
Attachment G --
Attachment H --
Attachment I --
Attachment J --
Attachment K --
Attachment M –
Attachment N –
Attachment O –
Attachment P --
Attachment Q –
Attachment R –
Attachment S –
Attachment T –
Attachment U --